

Attorney Docket No. 3177 P 408

*2-7-2005*  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Stephen Alan Smith et al.

Application No.: 10/826,968  
Confirmation No.: 1182  
Filed On: April 15, 2004

Examiner: James N. Smalley  
Art Unit: 3727

For: Container Lid With Closure Member

Mail Stop Amendment  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL**

Dear Sir:

Transmitted herewith is an Amendment in the above-identified Application. Applicants are other than a small entity. The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply. The shortened statutory period of response was set to expire on October 14, 2005. Applicants believe that no extension of term is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition for extension of time. The Commissioner is hereby authorized to charge any deficiencies in these fees to Deposit Account No. 23-0280. A duplicate copy of this sheet is attached.

The fee for the Amendment has been calculated as shown below:

	Claims Remaining After Amendment	Highest Number Previously Paid For	Present Extra	Small Entity		Other Than A Small Entity	
				Rate	Additional Fee	Rate	Additional Fee
Total	23 -	20 =	3	x \$25=		x \$50=	\$150
Independent	5 -	4 =	1	x \$100=		x \$200=	\$0
<input type="checkbox"/> First Presentation of Multiple Dependent Claims				x \$180=		x \$360=	\$200
TOTAL ADDITIONAL FEE							\$350

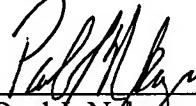
Check No. 25501 in the amount of \$ 350.00 is attached.

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-0280. A duplicate copy of this sheet is attached.

Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra Claims.

Respectfully submitted,

Date: October 14, 2005

By: 

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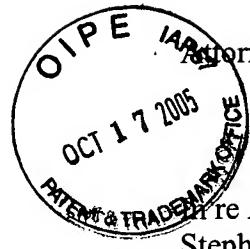
312.554.3300

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**CERTIFICATE UNDER (37 C.F.R. § 1.8a)**

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Mail Stop Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on. October 14, 2005.

  
Gillian Gardner/233856



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**REPLY TO OFFICE ACTION MAILED JULY 14, 2005**

Dear Sir:

In response to the Office Action of July 14, 2005, please amend the above-identified application as follows:

**Amendments to the Specification** begin on page 2;

**Amendments to the Drawings** begin on page 3;

**Amendments to the Claims** are reflected in the listing of claims which begins on page 4; and,

**Remarks** begin on page 8.

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